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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ MAY 26 2003 ★
X BROOKLYN OFFICE

IN RE:
HOLOCAUST VICTIM ASSETS
LITIGATION

Case No. CV 96-4849(ERK) MDG)
Consolidated with CV 99-5161 and
CV 97-461

MEMORANDUM & ORDER

-X-

KORMAN, Chief Judge:

This Memorandum and Order relates to the application for counsel fees filed by Richard H. Weisberg. In his application for counsel fees for services performed in helping to secure the settlement of this case, Professor Weisberg suggests that the only order of which he was aware that set a deadline for filing fees was my order of March 17, 2006, setting a deadline for work performed subsequent to January 26, 1999, the date on which the settlement agreement was executed. Professor Weisberg's work preceded that date.

I call Professor Weisberg's attention to the proposed order submitted by plaintiffs' settlement counsel that I signed on September 23, 1999, which set a date of November 5, 1999, for the filing of fee applications by "[a]ny of plaintiffs' legal counsel seeking fees or reimbursement of costs." The letter accompanying the proposed order advised me that "[t]he schedule was circulated to settlement class counsel" and that it "was developed in connections with conversations [the writer] had with Bob Swift and lead settlement class counsel Professor Burt Neuborne." The order and the letter accompanying it were docketed on October 6, 1999, under docket number 331. I am annexing a copy of the document to this order. Professor Weisberg is directed to address the issue whether his failure to file this

application until this year does not preclude his application. Moreover, setting aside the scheduling order described above, Professor Weisberg's claim also appears to be barred by the statute of limitation — an issue he may wish to address as well.

I would appreciate a response within 30 days of this date of this order.

SO ORDERED:

Brooklyn, New York

May 23, 2006

s/Edward R. Korman

Edward R. Korman
United States Chief District Judge

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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

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IN RE
HOLOCAUST VICTIM ASSETS)
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Master Docket No. CV-96-4849
(Consolidated with CV-96-5161
and CV-97-461)

**[PROPOSED] SCHEDULING ORDER REGARDING
FINAL APPROVAL BRIEFS AND FEE APPLICATIONS**

With respect to the scheduling of the filing of papers in connection with final approval of the proposed settlement, and in connection with applications for reimbursement of costs, and for fees, **IT IS HEREBY ORDERED:**

1. The Motion for Final Approval of the proposed settlement shall be filed and served on or before November 5, 1999. Any brief in opposition shall be filed and served on or before November 17, and any reply thereto shall be filed and served by November 23.
2. Any of plaintiffs' legal counsel seeking fees or reimbursement of costs shall file and serve their petitions on or before November 5, 1999. Any brief in opposition shall be filed and served on or before December 3, and any reply thereto shall be filed and served by December 17. A hearing on the petitions shall be held on January 5, 2000.

Dated: Sept 23, 1999


HONORABLE EDWARD R. KORMAN
United States District Judge

125.SWS

-1-

[PROPOSED] SCHEDULING ORDER REGARDING FINAL APPROVAL BRIEFS AND FEE APPLICATIONS

(31)

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September 22, 1999

VIA FACSIMILE
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Honorable Edward R. Korman
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11202

Re: In Re Holocaust Victim Assets Litigation
Case No. CV 96-4849 (ERK)

Your Honor:

Attached please find a proposed scheduling order, relating to briefing on the motion for final approval of the proposed settlement, as well as to briefing on any fee applications that may be submitted. The schedule was circulated to settlement class counsel, as well as counsel for defendants. It was developed in connection with conversations I had with Bob Swift and lead settlement class counsel Professor Burt Neuborne. I have not received any negative comments to date regarding the schedule. I am also e-mailing a copy of the schedule with the dates left blank, so that the Court can enter either the schedule, or its own version of it.

Respectfully submitted,



Morris A. Ratner

MAR:rtd
Enclosure

cc: Settlement Class Counsel (via facsimile)
Carol Clayton (via facsimile: 202- 663-6363)

KORMAN.SWS

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